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191 Spring Road  
North Kingston, Rhode Island 02852  
(401)8867600

July 18, 2007

VIA FACSIMILE  
Ms. Patricia Leith, Examiner  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Re: Patent Application 10/800,608

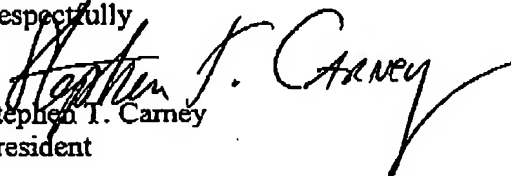
Dear Ms. Leith:

As a further follow up to our telephone conversation in June and the affidavit filed shortly thereafter, please find enclosed herewith the Second Affidavit of Stephen T. Carney outlining the facts regarding the publication of our study on the website made part of your last rejection.

Based on our phone conversation with you and your supervisor back in June and the two affidavits and exhibits filed by me, we have resolved all your outstanding rejections to the issuance of the above referenced Patent. Please contact us at your earliest convenience as to the next step in issuing the Patent in this matter.

Thank you for your anticipated cooperation in this matter.

Respectfully

  
Stephen T. Carney  
President

Enclosures

RECEIVED  
CENTRAL FAX CENTER

AUG 16 2007

United States Patent & Trademark Office  
Rule 132 Affidavit

Appl. No. : 10/800,608  
Applicant : Stephen Truesdale Carney  
Filed : March 15, 2004  
TC/A.U. : 1655  
Examiner : Patricia A. Leith

## Second Affidavit of Stephen Truesdale Carney

I, Stephen Truesdale Carney, hereby duly depose and say as follows:

1. I reference and incorporate my Affidavit of Stephen Truesdale Carney and restate all statements contained therein. A copy of said affidavit is attached here as Exhibit A.
2. I hired Lawrence D. Rink, M.D. FACC ("Dr. Rink"), to conduct the Folic Acid and Alfalfa, The FALL Study, (the "Study") described and made part of the above referenced Patent Application.
3. After my speech at the International Sprout Growers Association, the Study was published on the website of one of the conference participants International Specialty Supply on or about August 17, 2003. See email from International Specialty Supply representative, Bob Rust, evidencing the same and attached hereto as Exhibit B.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Signed under the pains and penalties of perjury this 19th day of July, 2007.

  
Stephen T. Carney

Jack J. Vultaggio, Jr.

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From: carneycapital@cox.net  
Sent: Wednesday, July 18, 2007 1:26 PM  
To: jvultaggio@comcast.net  
Subject: Fwd: Re: Researchers Pouring On the Sprouts

The sprout net stuff

> From: "Bob Rust" <Bob@Sproutnet.com>  
> To: <carneycapital@cox.net>  
> Subject: Re: Researchers Pouring On the Sprouts  
> Date: Mon, 16 Jul 2007 05:39:04 -0500

>  
> Steve,

> 8/17/2003 1:04pm is the most likely date.

> Hope this helps,

> Bob

> ----- Original Message -----

> From: <carneycapital@cox.net>  
> To: "Bob Rust" <Bob@Sproutnet.com>  
> Sent: Sunday, July 15, 2007 1:57 AM  
> Subject: Re: Researchers Pouring On the Sprouts

> > Yes. And I will forward the published version when available. Thanks.

> > Steve

> > ----- Bob Rust <Bob@Sproutnet.com> wrote:

> >> Steve,

> >>

> >> Our tech guy is leaving for vacation today. I will catch him when  
> >> he gets back.

> >> By the way, is it still OK to leave that on our website?

> >>

> >> Thanks,

> >>

> >> Bob

> >>

> >>

> >> ----- Original Message -----

> >> From: <carneycapital@cox.net>  
> >> To: "Bob Rust" <Bob@Sproutnet.com>  
> >> Sent: Friday, July 13, 2007 9:42 AM  
> >> Subject: Re: Researchers Pouring On the Sprouts

> >>

> >>

> >> > It is for our patent on the product. When you placed our  
> >> > clinical study on your web site, it carried a date stamp on when  
> >> > it was activated. One of

> >> > your web guys should be able to retrieve it. Thank. Steve Carney

> >> > ----- Bob Rust <Bob@Sproutnet.com> wrote:

> >> >> Sorry, I have no idea. I could probably find out. Why is this  
> >> >> of interest?

> >> >>

> >> >> Bob

08/16/2007 13:43 FAX 5083376693  
08/16/2007 13:27 FAX 5083376693

Jack J. Vultaggio, Jr.  
Jack J. Vultaggio, Jr.

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\*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

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CONNECTION TEL		15712738300
CONNECTION ID		
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RESULT	OK	